

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 14-149—sHB 5389

Public Safety and Security Committee

AN ACT CONCERNING THE USE OF ELECTRONIC DEFENSE WEAPONS BY POLICE OFFICERS

SUMMARY: This act requires the State Police and local police departments that authorize their officers to use electronic defense weapons to document their use and annually, beginning January 15, 2016, report the information to the Office of Policy and Management (OPM) for posting on its website. It requires the Police Officer Standards and Training Council (POST), by January 1, 2015, to develop and promulgate a standardized form for departments to report the data.

The act requires (1) POST, by January 1, 2015, to develop and promulgate a model policy providing guidelines on police use of electronic defense weapons and (2) any police department that authorizes the use of such weapons to adopt and maintain a written policy, by January 31, 2015, that meets or exceeds the model policy. (The council has already voluntarily developed a model policy.)

EFFECTIVE DATE: October 1, 2014 for development of the model policy and standardized reporting form; January 1, 2015 for the remaining provisions.

ELECTRONIC DEFENSE WEAPONS' USE, DOCUMENTATION, AND REPORTS

An "electronic defense weapon" is a weapon that, by electronic impulse or current, is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device (CGS § 53a-3).

Under the act, any police department that authorizes its officers to use electronic defense weapons must require the officers to document their use in the department's "use-of-force" reports. By January 15 following the end of each calendar year in which an electronic defense weapon is used, the department must prepare an annual report, using the POST form, detailing the use of the weapons. The report must include (1) data downloaded from the weapons after their use, (2) data compiled from the use-of-force reports, and (3) statistics on each use of these weapons. The statistics must include the:

1. race and gender of each person on whom the weapon was used, based on the observation and perception of the police officer who used the weapon;
2. number of times the weapon was activated and used on the person;
3. injury, if any, the person suffered; and
4. mode used on the person, if the weapon had different usage modes.

By January 15, 2016, and annually thereafter, agencies that authorize the use of these weapons must submit the reports to OPM's Criminal Justice Policy and

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Planning Division. Any agency that does not authorize their use must submit a report to that effect. The act requires OPM to post the reports on its website.

OLR Tracking: VR:JO:PF:am